

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

OCT 04 2018

LONG ISLAND OFFICE

Keith W. Rycklik
838 Doane Ave
Bellport NY 11713

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

City Dunbar WV. 25064
Dunbar police WV. 25064
1227 Lone Lane Dunbar WV. 25064

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Complaint for Violation of Civil
Rights
(Non-Prisoner Complaint)

Case No. **CV-18 5595**

(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

KUNTZ, J.

RECEIVED

BLOOM, M.J. OCT 04 2018

EDNY PRO SE OFFICE

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in *forma pauperis*.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Keith William Rycklik
 Street Address 838 Doana Ave
 City and County Bellport NY 11713
 State and Zip Code _____
 Telephone Number (681) 945-9981
 E-mail Address KeithRycklik@gmail.com.
KeithRycklik@hotmail.com.

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name City of Dunbar / Dunbar police
 Job or Title Department
 (if known) _____
 Street Address 1227 Leon Lane Mayo offic.
 City and County Dunbar WV. 25064
 State and Zip Code 304) 766-0220 Mayo.
 Telephone Number 304) 766-0204 police Depart
 E-mail Address _____
 (if known) _____

Address police Department
210 12th St
Dunbar WV. 25064

Defendant No. 2

Name Dunbar police Department
Job or Title police offic
(if known)
Street Address 210 12th St
City and County Dunbar WV 25064
State and Zip Code
Telephone Number 304) 766-0204
E-mail Address
(if known)

Defendant No. 3

Name _____
Job or Title _____
(if known)
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known)

Defendant No. 4

Name _____
Job or Title _____
(if known)
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known)

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- ☒ State or local officials (a § 1983 claim)
☐ Federal officials (a *Bivens* claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

My Deaf Right I been violated number of
of time?

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

yes for year the day I move in to Number 25064
by the police Dep!

D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Deaf Right I'm a Disability person

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

I was Attack on 1/23/16 because I tell
Adam mason I can't hear out of my Right side
ear I'm 100% Deaf and I was Attack By two police
officer.

- B. What date and approximate time did the events giving rise to your claim(s) occur?

1/23/16 Time 34 PM

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I was Attack I was Beating Really bad I had
to go to Hospitals that day of the Attack
1/23/16 because I tell Adam mason I can't hear
at all I'm 100% Deaf in my Right side ear and
50% on the Left side ear too I have a Hearing Aids
it all on video tape that day they Violence my
Right because I'm a disability person that
is Deaf and I have hard time understanding
thing in life and I fear for my Left that
day it was a set up and I have the tape
Deed with me

my Right been violate!

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I was Beating so bad I ~~had~~ ask of the police office- I Need to go to the Hospital one of the office said NO! I was Blacking out number of time I ask one again they got me out my Back in-Juries and Head in-Juries. all I say I Can't Hear out of my Right side I'm 100% Deaf on the Right Side Hear and 50% Deaf in the Left Side Hear I have a Hearing Aid

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I like to put it on TV new, Newspaper Online and I want someone to understand way and what been ~~there~~ thought being in-Jail for 3 year for nothing

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/4, 2018.

Signature of Plaintiff Therese William Ryckholt

Printed Name of Plaintiff Therese William Ryckholt